

## REMARKS

The application is amended to recite the information regarding earlier application priority benefits of which are claimed under Section 120. The Specification is amended in Section 5 entitled "Brief Description of the Figures" at pages 17-18 to recite the appropriate SEQ ID identifiers assigned to the nucleic acid and/or amino acid sequences depicted in Figures 2, 3 and 6. It is noted that SEQ ID No.: 43 is indicated on page 17, in the description of Figure 6. SEQ ID NO.: 43 represents the amino acid sequence of the mature HMW and corresponds to amino acid sequence encoded by residues 466 to 3420 of SEQ ID. No.: 1. The specification is also amended at page 43 to correct the grammar and to insert a sequence identifier for SEQ ID NO.: 42 which is a portion of SEQ ID NO.: 3. Such amendments are formalistic, merely to comply with rules regarding sequence listings and add no new matter. A new substitute Sequence Listing is submitted herewith. The Substitute Sequence Listing is revised to include: sequence identifier numbers 38 through 41 for which no sequence is presented. These numbers are included so that the Sequence Listing of the present application can use the same sequence identifiers for sequence Nos.: 42 and 43 as a later application which claims priority of this application. The substitute Sequence Listing is also corrected at residue 504 of SEQ ID NO.: 17 to recite the amino acid residue "ASN" instead of "ASP". Support for this correction is found in the specification at page 52, lines 2-7 which indicate (as corrected) that the "deduced amino acid sequence of the truncated fragment of HMW protein [encoded by plasmid pJJ36-J] is represented by amino acids 29 to 533 on Fig. 3 and is listed as SEQ ID NO.: 17. Correction of SEQ ID NO.: 17 is consistent with Figure 3 as filed. A new substitute Sequence Listing, in paper form, is enclosed herewith together with a statement affirming that no new matter is added by the new Sequence Listing. It is noted that, for convenience, in the new Sequence Listing, the amino acids encoded by the nucleotide sequence presented as SEQ ID NO.: 1 have been represented in the listing.

The specification is also amended at page 38 to recite the accession number and/or information regarding deposit of certain microorganisms containing plasmids described in the application as filed and deposited in accord with Budapest Treaty requirements. Attention is directed to the specification at pages 51-53, in particular at page 52, lines 2-7 with respect to plasmid pJJ36-J and at pages 56-58, in particular at page 58, lines 15-18 with respect to plasmid pAH342. Attention is directed to the Statement

Regarding Public Availability of the deposits with attached Exhibits B1 and B2 constituting the Receipts from the ATCC relating to the deposited organisms. No new matter is added.

The specification is amended at page 47, line 18 to recite the correct starting and ending nucleotide residues representing the nucleic acid sequence of SEQ ID NO.: 10 shown in Figure 2. This amendment corrects an inadvertent typographical error. The correction is obvious upon consideration of the original Sequence Listing showing SEQ ID NO.: 10 and Figure 2 as filed. No new matter is added.

The specification is amended at page 50, line 14, to recite the correct starting nucleotide residue representing the nucleic acid sequence of SEQ ID NO.: 11 shown in Figure 2. This amendment corrects an inadvertent typographical error. The correction is obvious upon consideration of the original Sequence Listing showing SEQ ID NO.: 11 and Figure 2 as filed. No new matter is added.

The specification is amended at page 52, lines 4 and 6, to recite the correct starting and ending nucleotide residues representing the HMW protein encoding nucleic acid in plasmid pJJ36-J and to recite the correct ending nucleotide residue of SEQ ID NO.: 17 represented in Figure 3. These amendments correct inadvertent typographical errors. These corrections are obvious upon consideration of the original Sequence Listing showing SEQ ID NO.: 17 and Figure 3 as filed. No new matter is added.

The specification is also amended at page 56 to correct an inadvertent editorial error regarding SEQ ID NOS.: 15 and 16. The correction of this error is obvious upon consideration of the original sequence listing showing SEQ ID NOS.: 15 and 16 and Figure 6 as filed. No new matter is added.

The specification is amended at page 58, line 18, to recite the correct starting nucleotide residue of the open reading frame encoding HMW protein (mature form of HMW protein) in plasmid pAH342. This amendment is an obvious correction of an inadvertent typographical error. The correction is obvious in light of the specification in Example Section 9 at pages 56-59 which teaches how plasmid pAH342 was constructed. In particular, attention is directed to the specification at page 57, lines 2-6 which teaches that the forward primer used to obtain the nucleic acid encoding HMW protein contained sequences

complementary to the nucleic acid encoding the first 10 N-terminal amino acid residues of the mature HMW protein listed as SEQ ID No.: 12. The amendment simply makes the specification consistent with the original sequence shown on SEQ ID NO.: 12 of the original Sequence Listing as filed. No new matter is added. It is requested that the amendments be made of records in the file.

Respectfully submitted,

**PENNIE & EDMONDS LLP**

Date: November 4, 2003

By: 

Geraldine F. Baldwin  
Reg. No.: 31,232

31,232  
Reg. No.